

**REMARKS**

This Amendment responds to the Office Action dated May 28, 2008, in which the Examiner rejected claims 1-6 under 35 U.S.C. § 103.

Applicants respectfully request the Examiner acknowledge the Information Disclosure Statement filed June 12, 2008.

As indicated above, a typographical error in the Specification has been corrected. Applicants respectfully request the Examiner approves the correction.

Claims 1 and 5 claim an image pick-up device in which an image pick-up device picks up an image signal with a varied frame rate. A frame rate conversion means/portion converts a frame rate of a second image signal supplied from an external device, to the output frame rate of the first image signal generated from the variable frame rate pick-up image signal. A signal generation means/portion generates a monitor image signal by using the first and second image signals.

By converting a frame rate of a second image signal supplied from an external device to the output frame rate of the first image signal, as claimed in claims 1 and 5, the claimed invention provides an image pick-up device which can accept an external input video signal whose frame rate is different from the output frame rate of the pick up device. The prior art does not show, teach or suggest the invention as claimed in claims 1 and 5.

Claims 1, 2, 5 and 6 were rejected under 35 U.S.C. § 103 as being unpatentable over *Bean, et al.* (U.S. Publication No. 2003/0146981), in view of *Tonomura* (JP 11-177930), and further in view of *Robinson, et al.* (U.S. Patent No. 5,428,399).

Applicants respectfully traverse the Examiner's rejections of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which are set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Bean, et al.* appears to disclose a variable-frame-rate-trigger 128 operated by a user to vary the frame rate of the video, while video is being captured [0021]. The schematic representation of frame rate capturing of video shown in FIG. 3 illustrates that the camera 100 may be operated by the variable-frame-rate-trigger 128 to capture faster video (e.g. video capture c2), or slower video (e.g. video capture c5) [0022].

Thus, *Bean, et al.* merely discloses capturing video at a variable frame rate. Nothing in *Bean, et al.* shows, teaches or suggests a frame rate conversion means for converting a frame rate of a second image signal supplied from an external device to the output frame rate of the first image signal as claimed in claims 1 and 5. Rather, *Bean, et al.* only discloses capturing video at a variable frame rate.

Additionally, *Bean, et al.* appears to disclose video may be played on an output device such as a television 182. Video played on the television device 182 may be played at a constant playback speed "S". When played at the constant playback speed S, the playback frame rate varies as a function of the capture frame rate. In the exemplary scenario provided in FIG. 3, if captures C1, C2, C3, C4, C5 and C6 are played back in sequence, the video is six seconds in duration. Some portions of the video contain more frames than other frames. Therefore, some portions of the video contain more detail [0023].

Thus, *Bean, et al.* merely discloses playing back the captured video in sequence. Nothing in *Bean, et al.* shows, teaches or suggests a signal generation means/portion generating a monitor image signal using images from the first and second image signals simultaneously on one screen as claimed in new claims 18 and 19. Rather, the captured video is sequentially played in *Bean, et al.*

*Tonomura* appears to disclose the CCD1 which captures image based upon a signal from a recording timing device 5. The captured signal is input into processor 2 and then recorded by recording reproducing section 3. Reproduction of the signal is based upon an input synchronization signal from terminal 9 to reproduction timing circuit 6 [0013 – 0014]. The driving timing of CCD imager 1 and writing timing of recording reproduction section 3 will be made into arbitrary frame rates 3X or less, and time-axis as conversion of an image will be performed by making the time of the reproduction from the recording reproduction section 3 into a 1X frame rate. For example, if the driving time of the CCD imager 1 and writing time of the recording reproduction section 3 is made into a 3X frame rate and the time of the reproduction from the recording reproduction section 3 is made into a 1X frame rate, the picture output turns into a slow motion image with which the time-axis was elongated three times from the video output terminal 8 [0016].

Thus, *Tonomura* merely discloses recording a signal at a first frame rate and reproducing the same image signal at a second frame rate. Nothing in *Tonomura* shows, teaches or suggests a frame rate conversion means/portion for converting a frame rate of a second image signal into the output frame rate of the first image signal as claimed in claims 1 and 5. Rather, only a single input signal is shown in *Tonomura*.

Additionally, since *Tonomura* merely discloses recording an image signal at one frame rate and reproducing that signal at a second frame rate, nothing in *Tonomura* shows, teaches or suggests converting a frame rate of a second image signal supplied from an external device to the output frame rate of a first image signal input from an image signal pick-up means/portion as claimed in claims 1 and 5. Rather, nothing in *Tonomura* shows, teaches or suggests converting a signal from an external device into the output frame rate of the image signal from the pick-up means.

Finally, nothing in *Tonomura* shows, teaches or suggests generating a monitor image signal using images from the first and second image signals simultaneously on one screen as claimed in new claims 18 and 19.

*Robinson, et al.* appears to disclose high resolution transfer of images from film to video and vice versa, or from one TV standard to another where the images originate on film (Col. 1, lines 9-11). To convert images originally stored on film, it is first converted to a video electronic signal at a frame rate of 24 frames per second by an apparatus 2 known as a telecine. The embodiment may be used to convert a video electronic signal by replaying a video tape replay 4 which can be switched between PAL standard at 50 Hz or NTSC at 60 Hz. Any of these signals is then applied to an apparatus 8 known as a standard converter. The standard converter 8 is usually used to convert from one television standard to another (PAL, NTSC). The conversion is controlled by timing information from the input and output signal. A further control is also applied to the standard converter 8 to dictate what converter frequencies are relevant to any particular conversion. A vector motion estimator 10 receives the input video signal to analyze the motion of the image. The vector motion estimator is coupled to the standards converter 8

providing motion vectors to compensate for the moving objects in the image. The converted images are then output to a video tape recorder 12, or directly transmitted via a transmitter 14 (Col. 7, lines 21-53). When converting film to PAL standard, the film is usually converted by replaying the film at 25 frames per second rather than 24 frames per second (Col. 10, lines 52-55). When converting film to the NTSC standard, 30 frames per second is used (Col. 11, lines 60-62).

Thus, *Robinson, et al.* is merely directed to converting from one television standard (PAL/NTSC) to another standard (NTSC/PAL). Nothing in *Robinson, et al.* shows, teaches or suggests converting a frame rate of a second image signal supplied from an external device to the output frame rate of a first image signal from an image signal pick-up means as claimed in claims 1 and 5. Rather, *Robinson, et al.* merely discloses converting from one television standard (PAL) to another television standard (NTSC) or vice versa.

Applicants respectfully traverse the Examiner's rejection of the claims by *Robinson, et al.* *Robinson, et al.* merely discloses converting the signal from telecine replay 2 or video tape replay 4 based on control or timing signals. Nothing in *Robinson, et al.* shows, teaches or suggests converting the frame rate of a second image signal to the output frame of a first image signal as claimed in claims 1 and 5. Rather, the signals are converted based upon a selected television standard, either PAL or NTSC in *Robinson, et al.*

Finally, nothing in *Robinson, et al.* shows, teaches or suggests generating a monitor image signal using images from the first and second image signal simultaneously on one screen as claimed in new claims 18 and 19.

A combination of *Bean, et al.*, *Tonomura* and *Robinson, et al.* would merely suggest to record an image signal with a variable frame rate as taught by *Bean, et al.*, to reproduce the image with a different frame rate from that recorded as taught by *Tonomura*, and if the image is recorded onto film or a video tape, to switch between the two different television standards as taught by *Robinson, et al.* Thus, nothing in the combination of the references shows, teaches or suggests (a) converting a frame rate of a second image signal into the output frame rate of a first image signal picked up by an image signal pick-up means, and (b) converting the frame rate of the second image signal supplied from an external device to the output frame of the first image signal as claimed in claims 1 and 5. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1 and 5 under 35 U.S.C. § 103.

Claims 2 and 6 depend from claims 1 and 5 and recite additional features. Applicants respectfully submit that claims 2 and 6 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Bean, et al.*, *Tonomura* and *Robinson, et al.*, at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2 and 6 under 35 U.S.C. § 103.

Claim 3 was rejected under 35 U.S.C. § 103 as being unpatentable over *Bean, et al.*, *Tonomura*, and *Robinson, et al.*, and further in view of *De Meerler* (U.S. Patent No. 6,848,792). Claim 4 was rejected under 35 U.S.C. § 103 as being unpatentable over *Bean, et al.*, *Tonomura*, and *Robinson, et al.*, and further in view of *Torres, et al.* (U.S. Patent No. 6,738,075).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be

set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in the combination of the primary references shows, teaches or suggests the primary features as claimed in claim 1, Applicants respectfully submit that the combination of the primary references with the secondary references to *De Meerler* and *Torres, et al.* would not overcome the deficiencies of the primary references. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 3 and 4 under 35 U.S.C. § 103.

New claims 7-19 have been added and recite additional features. Applicants respectfully submit that these claims are also in condition for allowance.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

**CONCLUSION**

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 05-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

Date: August 20, 2008

By: 

Ellen Marcie Emas  
Reg. No. 32,131  
Tel. (212) 588-0800